

**“Attacking Trafficking: U.S. Leadership in a Tri-Partite Approach
To Addressing Supply, Demand, and Distribution**

**Remarks for the
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by

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Good evening. On behalf of Ambassador John Miller, I want to thank the University of North Carolina Women’s Center and all the sponsors of this International Conference on Sexual Trafficking. I also want to thank all of you for being here tonight and taking time out of your busy schedules to help stop human trafficking.

Because so many people continue to be trafficked into slavery worldwide, it is important to have places to take stock of progress made and discuss and debate future strategies and plans for action. For this reason, it is heartening to see so many here today to work on what President Bush has called “one of the most important human rights issues of the 21st century.”

As most of you know, trafficking in persons is a serious problem in the U.S. and throughout the world. The U.S. government estimates that 600,000 to 800,000 men, women, and children are trafficked across international borders. These are conservative numbers. *If you take these numbers in the aggregate, or cumulatively, it may be in the double digit millions who have been trafficked globally.*

Although people are trafficked for many purposes, the current U.S. Administration believes that sex trafficking is the major form of trafficking that needs to be addressed. Of the 600,000 to 800,000 people trafficked across borders annually, . 80% are female and up to 50% are minors. Hundreds of thousands of these women and children are used in prostitution, pornography, and other forms of commercial sexual exploitation each year.

Because human trafficking deprives people of their most basic human rights, and because the result of sex trafficking is a physical, mental, emotional, and spiritual devastation that is difficult, sometimes impossible to repair, this contemporary form of slavery is a priority for the United States.

The impetus for this is the Trafficking Victims Protection Act of 2000, a brilliant law that authorizes the U.S. to withdraw foreign aid and international loans from countries complicit in the buying and selling of human beings. It might interest you to know that the original draft of the law focused solely on sex trafficking exactly because legislators realized that breaking the silence and taking action on sex trafficking was so important. Legislators added labor trafficking to the original bill in a spirit of compromise, and the Trafficking Victims Protection Act was the only law that passed in the last year of President's Clinton's Administration. It carried along with it the Violence Against Women Act, Megan's Stalking Law, and a number of other bills that were attached to it because Congress realized that the TVPA had a powerful coalition of conservatives and liberals, Republicans and Democrats, evangelicals and women's rights groups, that was going to carry it to passage.

The law does a number of things:

- First, it broadened the definition of trafficking to include recruiter, transporter, buyer, seller, harbinger, brothel owner, manager, and guards. This is important because it gets to the whole pipeline of activity in trafficking.
- Second it increases penalties from 20 years to life. This is important because it sends a message to traffickers that we take human trafficking seriously - as seriously as drug trafficking - and that the penalties will be commensurate with the crime
- Third, it has a victim-centered approach, including a T visa for victims of severe forms of trafficking - which allows the victim to stay in the US temporarily for 3 years and then apply for permanent residency. This is important, because unlike drug trafficking or arms trafficking – the “commodity” being trafficked is a real live person.
- Fourth, it authorizes and appropriates over \$60 million in resources per year to address trafficking - and this is important because we must have resources to implement programs

Since the law passed, President Bush has done a tremendous amount to implement the law:

- Two years ago he created the President's Interagency Task Force on Trafficking in Persons. This cabinet level task force, which is chaired by the Secretary of State includes the National Security Advisor, the Attorney General, the CIA Director, the Secretary of Health and Human Services, Secretary of Labor, Secretary of Defense, and US AID Administrator. This is important because it creates political will at the highest levels, which streams down into each agency.
- He also set up the Office to Combat and Monitor Trafficking in Persons. The Office, headed by Ambassador John Miller, coordinates all federal anti-trafficking policies and programs. It works to encourage countries to arrest, prosecute, and convict traffickers, as well as urging them to create “victim-centered” approaches to ending the slave trade, including rescue and restore

campaigns to help those trapped in vicious trafficking schemes escape and build new lives.

- Finally, the Office also produces an annual Trafficking in Persons Report, one of our major foreign policy tools to help increase dialogue with other countries and to provide an impetus for serious action. As you may know, the Report assesses and rates governments as to whether they are making significant progress in combating trafficking. Countries get a Tier rating of 1, 2, or 3, with 3 being the worst, depending upon how much or how little they are doing. Any country remaining on Tie 3 after a 90 day period can be sanctioned and may lose non-humanitarian non- trade assistance. It is also enormously embarrassing to be rated Tier 3. This Report has proved to be one of the most effective efforts to track national and international progress on trafficking. It is the most comprehensive annual global review of human trafficking issued by any single government.

Four years ago, in 2002, the US government also took another bold step to address trafficking:

- In December of 2002, President Bush signed a National Security Presidential Directive on Trafficking in Persons, the first ever of its kind. In it, he called on all US government agencies to create a strategic plan to advance the US government's fight against TIP.
- In this Directive, he also announced a policy shift. He linked prostitution and trafficking, stating that the US government believed that prostitution is inherently harmful to men, women, and children, and that because prostitution fuels trafficking, we are opposed to legalizing it and considering it a legitimate form of work. This new policy perspective presented the first real alternative to the approach of The Netherlands and Germany, where prostitution is legal.

Crafting new policy is only the beginning. Once drafted and signed, the policy must be implemented. In the last two years, we have begun a number of programs to implement policy. These include:

- “Look Beneath the Surface”
- “Report and Rescue:
- “Pro-Active Local Law Enforcement Efforts”
- “The President’s \$50 Million Initiative”

Where Next?

Though we have accomplished much, there is still much to be done to abolish trafficking in persons. We are gathered here today not only to assess what has been accomplished, but also to ask ourselves, “Where Do We Go From Here?” In that regard, let me make four brief suggestions.

1.TIP and Democracy.

Secretary Rice recently reorganized the State Department. As part of that reorganization, she gave our Office a new name and new responsibilities. The old office was called, “the Office for Global Affairs.” The new office is the Office for *Democracy* and Global Affairs. This new focus gives us a chance to look at trafficking through a new lens, the lens of democracy and democracy-building.

In regions of the world that have a number of countries that are not free or only partly free, we are asking the following questions:

- What role do rule of law, free elections, anti-corruption efforts, a well-functioning criminal justice system – play in reducing trafficking in persons?
- In countries that are not free, or only partially free, does that very lack of freedom fuel human trafficking?
- How do the lack of basic human rights and democratic guarantees - guarantees that we take for granted, such as the right to life, liberty and the pursuit of happiness; or the right to the fruits of one’s own labor; or the right to equal opportunity under the law – allow human trafficking to flourish?

Just as important, perhaps more important, in countries that are free, we can ask another set of questions:

- Do our current free enterprise systems have the necessary checks and balances to stop sex traffickers from doing business within our borders?
- Do new global markets and global economic agreements, including open borders and other free trade agreements, have mechanisms to insure that sex trafficking and labor trafficking don’t become the “underbelly” of these free flows of goods and services?
- In places where the U.S. and other democracies are engaged in political development (such as encouraging free and fair elections, open and competitive markets, freedom of speech and freedom of the press) are we also focused on human development (i.e., education and employment opportunities for women, and most importantly, educational opportunities for all children) so that citizens have real choices as to how they make a living?
- And finally, given that many Westernized, resource rich, democratic countries are destination sites for traffickers, ***what role and responsibilities do free and flourishing nations have in protecting the most vulnerable from violence and exploitation?***

These are the questions we are asking. We have started a working group on Democracy and Human Trafficking and we would be glad for your thoughts and your input as we shape our project. Academic institutions, and especially women’s centers, have a real role to play in helping to develop alternatives for women, in building prevention programs, in educating about commercial sexual exploitation and the world wide sex trade, and in building programs to help stop sex trafficking.

2. Survivor-Centered Approaches

In the U.S., and particularly in some feminist circles, a linguistic debate has arisen as to what to call those who have been trafficked. Do we call them “victims” or do we call them “survivors”? I want to suggest that there is an easy answer to this debate. The answer is: both terms are correct. A person is a “victim” while trapped in forced labor, prostitution, or any other slavery or slavery like situation. He/she is a “survivor” after being rescued, receiving services, and reintegrating into mainstream society.

Survivors have a great deal to offer in the realm of anti-trafficking work. After all, they are the ones who have real-life experience with trafficking. They have a knowledge and expertise that cannot be gained from any textbook or course of training. We need to make our programs more survivor-centered, not out of pity for the survivors, but because every aspect of our programs, whether prevention, prosecution, or protection, will be strengthened, and ultimately more successful, if we do incorporate survivors. Let me give you some examples of why:

- *It was a **survivor** who taught me about the double witness statutes.* These discriminatory statutes, found in almost every country in Africa and many countries in Asia – as well as in numerous states in the United States, require that there be a second witness to a woman or child who has been trafficked into prostitution, because the word of a woman in prostitution is not to be trusted. Such statutes make it virtually impossible to bring a successful case since, as we all know, there is rarely even one witness, much less two, to many crimes. We don't require two witnesses for any other crime – why for prostitution and sex trafficking? A survivor showed me why these laws must be changed.
- *It was a **survivor** who traced the trafficking routes for me in one of the first trafficking cases tried in the U.S.* She showed me where the recruiting took place, where the traffickers met to begin transportation (in this case, in Mexico) and where they ended up in the U.S. (in this case, a small rural town in Florida called Avon Park) and traced the routes of transportation, including transit cities and states. This victim intelligence has been critical in designing interventions tailored to the problem. It could not be readily obtained in any other way.
- *It was a **survivor** who returned to her trafficker with a group of anti-trafficking law enforcement officials,* and led us to the brothel to which she was trafficked when she was 11, to show us the hollow wall behind which children were hidden whenever there were raids, resulting in the rescue of some fifteen more children that day.
- *It is **survivors** who have designed the most successful rehabilitation programs* for other survivors. Why? Because they know in intimate detail the physical and mental hell of slavery and can therefore shape programs that hit the mark, both for emergency shelters when victims are first rescued, and for longer term

employment and education programs that can help people learn new skills for survival.

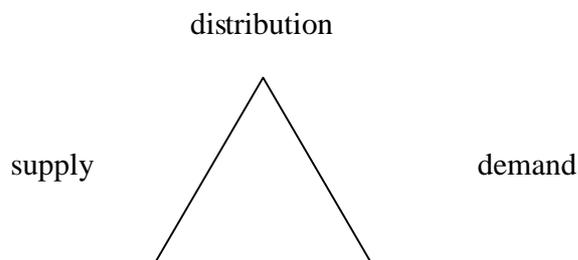
To this day, although we have access to hundreds, indeed, thousands of survivors of labor trafficking and sex trafficking, we have yet to incorporate them into all aspects of our prevention, prosecution, and protection programs. How can we do this? There are an infinite number of ways, but here are three:

- **Prevention:** Have survivors speak at schools, to community groups, in churches, temples, and mosques, about what happened to them, how to avoid being a trafficking victim, what to do if you suspect trafficking. A survivor's story is more compelling in gaining the attention of those vulnerable populations than any expert can be. Better yet, pair survivors with experts in all prevention programs.
- **Prosecution:** Survivors can play a role in investigations, by helping police and other law enforcement officials identify recruiters and places of recruitment, by setting up surveillance efforts (in conjunction with law enforcement, of course) at border crossings; as victim/witness coordinators in interviewing and identifying potential victims for cases.
- **Protection:** Social service providers should partner with survivors to design shelters and services for victims. Such programs are far more likely to be truly comprehensive because survivors will be able to articulate and identify special services needed in particular cases and countries.

If we factor survivors into our programs, we will develop more sophisticated responses and have more successes in the future. This should be our challenge and our goal.

3. Dealing with Demand.

If we think about human trafficking like drug trafficking, there is a triangle of activity with supply being the women and children, demand being the customer/user/buyer, and distribution the trafficker:



We have spent a good deal of time on “supply” i.e., creating shelters, designing and funding comprehensive sets of services for trafficking victims, including short term aid, like food, clothing, shelter, medical attention, legal services, translation services, and more, for those rescued. We have also spent a lot of time on “distribution” – the

investigation, arrest, prosecution, and successful conviction of traffickers. We have spent hardly any, if any at all, on the demand side of this triangle of activity, and we need to devote more to it. Here are a few ideas for demand reduction:

- *Social marketing*, aimed at boys and young men, talking about why it is bad to purchase sex. These could focus on everything from the public health problems like the spread of HIV and other STDs, to the grim facts about who runs the sex trade and how customers are helping traffickers flourish and hurting those who have been trafficked.
- *Sanctioning Soliciting*, by enforcing the soliciting laws in our states, and by encouraging other countries to adopt the Swedish model – which penalizes patronizing of a prostitution
- *Second Chance Schools*, such as The John School in San Francisco, California, run by SAGE. These schools, the brainchild of Director Norma Hotaling, operate much like the weekend driver's training schools for reckless drivers who are first time offenders. They offer first time offenders who have been arrested for soliciting an opportunity to go to school to learn why what they are doing is wrong. In John School, they hear from victims of trafficking; they examine their own motivations for buying sex; they learn about the nature and scope and harm of trafficking. To date, studies show that the recidivism rate for men who have attended John School is less than 2%.

We are in the foothills of consciousness on this aspect of the trafficking problem. We need other ideas, and we need help in implementing programs on supply, demand, and distribution.

4. Finally, Results.

In our country, President Bush has put an emphasis on results and results-oriented programs. We must always remind ourselves that we should not judge our success on how much money we spend, or how many grants we made, or how many programs we have. Instead, we should look solely at how much closer we are to abolishing trafficking.

It is time to take stock of what we have done and evaluate what works and what does not. We must ask ourselves the hard questions about what gives us real results in terms of

- Apprehensions, prosecutions, and convictions of traffickers
- Identification and rescue of victims
- Provision of services that rehabilitate, restore, and reintegrate

I present at a great many conferences and gatherings. It is rare that we have a conference that focuses solely on sex trafficking. So this gathering is special. It is a “first” and you have a number of people here who are also “firsts:”

- Dr. Linnea Smith, one of the very first to work on commercial sexual exploitation in the media;
- Dr. Donna Hughes, the first to conceptualize a framework for working on sex trafficking, and the first to put together a very important list serve that has allowed us to share information about global sex trafficking and to track trends;
- Norma Hotaling, the first to develop survivor led services, and the first to create the very successful John’s Schools which are now being replicated all over the world;
- Marissa Ugarte, the first to develop a bilateral coalition of organizations in the US and Mexico to work on the specific problems of trafficking from the Latin American corridor to the U.S.
- Melissa Farley, the first to study the harm of prostitution and to provide us with research that proves the harm here and abroad;
- Vednita Carter, the first to set up a center in the Midwest for women in prostitution, and the first to develop exit strategies targeted particularly at the African American community;
- Derek Ellerman and Catherine Chon; the first to mobilize student efforts on campus and the first to develop strategies to stop trafficking in the Korean communities both here and abroad;
- Dorchen Leidholdt of the Coalition Against Trafficking in Women, the first to develop an international organization focused on commercial sexual exploitation of women and children; the first to have consultative status at the U.N., and the first to lobby our perspective in international instruments and treaties;
- Ken Franzblau, of Equality Now, the first to focus on sex tourism in New York, and the women’s organization that brokered participation of mainstream women’s organizations in the TVPA;
- And many, many more to numerous to name.

We have everything we need here in this room to make progress – leadership, talent, expertise, passion, and commitment to hard work. We have come very far, but there is still much to be done. Thank you for the hard work you have done so far. We look forward to partnering with you to stop trafficking in all its forms.